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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/628,228	07/29/2003	Hideki Takenaka	O3020.0350/P350	4760
24998	7590	10/18/2006	EXAMINER	
DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403				LIEW, ALEX KOK SOON
ART UNIT		PAPER NUMBER		
				2624

DATE MAILED: 10/18/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/628,228	TAKENAKA, HIDEKI
	Examiner	Art Unit
	Alex Liew	2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 July 2003.
- 2a) This action is FINAL.                            2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Objections***

1. Claim 4 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim must refer to other claims in the alternative only. See MPEP § 608.01(n). Accordingly, the claim 4 not been further treated on the merits.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5 – 8 and 12 – 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turk (US pat no 5,164,992) in view of Yamamoto (US pub no 2004/0145657).

With regards to claim 1, Turk discloses a face identification device comprising

- detection means for detecting face image from human body images taken by a camera (see col. 3 lines 18 – 21 and 37 – 41 – the audience sitting shows the entire body of the audience then head of a person is located),
- determination means for determining whether a face image detected by said detection means matches with the face image stored means by comparing both face images (see col. 3 lines 43 – 45 – after the head of the person is located

module 10 of the fig 1 determines whether the face is one of a reference set of faces) and

- not applying abstraction process to a detected face image when said determination means determines that both face images match with each other (there is no process perform on the face image after being identified).

The reference face images stored in Turk are face images from members of a family, however on occasion there will be guess in front of the television set whose face images are not store, but does not discloses abstraction means to distinguish them from those in the family. Yamamoto discloses abstraction means for applying an abstraction process to a predetermined face image out of the face images detected by said detection means in order to make the predetermined face image unrecognizable (see paragraph 4 – discuss in suspicion areas or after crime scene the monitored individuals feel unpleasant being monitor constantly and paragraph 38 – an extracted face is made unrecognizable using DCT) and said abstraction means applying the abstraction process exclusively to a detected face image when said determination means determines that both face images do not match with each other (those are the faces of individuals who feel unpleasant and had their face unrecognized). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include abstraction means because protect the privacy of the individuals who feels unpleasant when constantly being observe while criminals or suspicious individuals are being searched through surveillance camera (see paragraph 4).

With regards to claim 2, Turk discloses all of the claim elements / features as discussed above in rejection for claim 1 and incorporated herein by reference, but fails to disclose abstraction process is a mosaic process for making a face image portion mosiac.

Yamamoto discloses a face identification device according to claim 1, wherein said abstraction process is a mosaic process for making a face image portion mosaic (see paragraph 39). See the motivation for claim 1.

With regards to claims 5 – 7, 10, 11, 13 and 15, see the rationale and rejection for claim 1. In addition, Turk also discloses a video capturing device, which reads on digital camera and scanner, in figure 1 – 4, with a full apparatus performing the claim invention of Turk.

With regards to claim 8, see the rationale and rejection for claim 2.

With regards to claim 9, Turk discloses all of the claim elements / features as discussed above in rejection for claim 7 and incorporated herein by reference, but fails to disclose storing the version of the input image. Yamamoto discloses a system of claim 7, in which the procedure further includes storing the version of the input image (see paragraph 38 – the video is playback implying the video is stored in a storage medium). See the motivation for claim 1. The playback video is part of the abstraction procedure.

With regards to claims 12 and 14, see the rationale and rejection for claim 1. In addition, Yamamoto discloses the reconstructed image of the face is 'playback' implying the face image was stored in a storage medium and made unrecognizable by using DCT coefficients and mosaic process (see paragraph 38).

3. Claims 3 / 1 and 3 / 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Turk (US pat no 5,164,992) in view of Yamamoto (US pub no 2004/0145657) as applied to claim 1 further in view of Lu (US pat no 5,771,307).

With regards to claim 3 / 1, Turk discloses all of the claim elements / features as discussed above in rejection for claim 1 and incorporated herein by reference, but fails to disclose a detected face image is not applied with the abstraction process and is applied with a marker. Lu discloses a face identification device according to 1, wherein said determination means determines that both face images match with each other, a detected face image is not applied with the abstraction process and is applied with a marker (see col. 22 lines 4 – 6). It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a detected face image is not applied with the abstraction process and is applied with a marker because to prevent the same face to be mark again when making a second or third scan on the image to reduce processing power (see col. 22 lines 6 – 8).

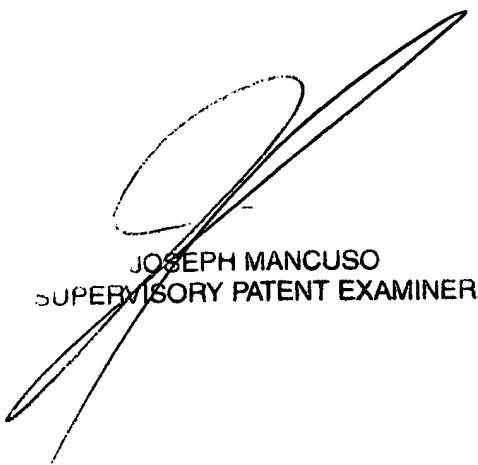
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Liew whose telephone number is (571)272-8623. The examiner can normally be reached on 9:30AM - 7:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Mancuso can be reached on (571)272-7695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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10-5-06



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